

**2006**

**STATE OF NEBRASKA**

**STATUTES RELATING TO  
NURSE PRACTITIONER ACT**

NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM



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## STATUTES PERTAINING TO NURSE PRACTITIONER ACT

**71-1704. Act, how cited.** *(Effective until July 1, 2007)* Sections 71-1704 to 71-1737 shall be known and may be cited as the Advanced Practice Registered Nurse Act.

**71-1704. Act, how cited.** *(Effective on July 1, 2007)* Sections 71-1704 to 71-1726.02 shall be known and may be cited as the Nurse Practitioner Act.

Source: Laws 1981, LB 379, §1; Laws 1984, LB 724, §2; Laws 1996, LB 414, §11; Laws 2000, LB 1115, §26; Laws 2005, LB 256, §47. Operative date July 1, 2007.

**71-1705. Legislative findings.** *(Effective until July 1, 2007)* The Legislature finds and declares that:

(1) Because of the geographic maldistribution of health care services in Nebraska it is necessary to utilize the skills and proficiency of existing health professionals more efficiently;

(2) It is necessary to encourage the more effective utilization of the skills of registered nurses by enabling them to perform in advanced roles in nursing; and

(3) The Advanced Practice Registered Nurse Act and the Nurse Practice Act are established to encourage registered nurses to perform in advanced roles in nursing.

Source: Laws 1981, LB 379, §2; Laws 1995, LB 563, §40; Laws 1996, LB 414, §12; Laws 2000, LB 1115, §27.

**71-1705. Repealed.** Laws 2005, LB 256, §103. *(Effective on July 1, 2007)*

**71-1706. Definitions, where found.** *(Effective until July 1, 2007)* For purposes of the Advanced Practice Registered Nurse Act, unless the context otherwise requires and except as provided in section 71-1729, the definitions provided in sections 71-1707 to 71-1717 shall apply.

**71-1706. Definitions, where found.** *(Effective on July 1, 2007)* For purposes of the Nurse Practitioner Act, unless the context otherwise requires, the definitions provided in sections 71-1707 to 71-1717 shall apply.

Source: Laws 1981, LB 379, §3; Laws 1984, LB 724, §3; Laws 1992, LB 1019, §70; Laws 1996, LB 414, §13; Laws 2000, LB 1115, §28; Laws 2005, LB 256, §48. Operative date July 1, 2007.

**71-1707. Advanced practice registered nurse, defined.** *(Effective until July 1, 2007)* Advanced practice registered nurse means a registered nurse who meets the requirements established in section 71-1722 and who holds a current license as an advanced practice registered nurse issued by the department.

**71-1707. Nurse practitioner, defined.** *(Effective on July 1, 2007)* Nurse practitioner means a registered nurse who meets the requirements established in section 71-1722 and who holds a certificate issued under the Nurse Practitioner Act.

Source: Laws 1981, LB 379, §4; Laws 1984, LB 724, §5; Laws 1996, LB 414, §14; Laws 2000, LB 1115, §29; Laws 2005, LB 256, §49. Operative date July 1, 2007.

**71-1708. Board, defined.** Board means the Board of Advanced Practice Registered Nurses.

Source: Laws 1981, LB 379, § 5; Laws 1996, LB 414, § 15; Laws 2000, LB 1115, § 30. Effective date April 14, 2000.

**71-1709. Repealed.** Laws 1996, LB 414, §52.

**71-1709.01. Boards, defined.** Boards means the Board of Advanced Practice Registered Nurses and the Board of Nursing of the State of Nebraska.

Source: Laws 1984, LB 724, § 4; Laws 1996, LB 414, § 16; Laws 2000, LB 1115, § 31. Effective date April 14, 2000.

**71-1709.02. Consultation, defined.** *(Effective until July 1, 2007)* Consultation means a process whereby an advanced practice registered nurse seeks the advice or opinion of a physician or another health care practitioner.

**71-1709.02. Consultation, defined.** *(Effective on July 1, 2007)* Consultation means a process whereby a nurse practitioner seeks the advice or opinion of a physician or another health care practitioner.

Source: Laws 1996, LB 414, §23; Laws 2000, LB 1115, §32; Laws 2005, LB 256, §50. Operative date July 1, 2007.

**71-1710. Department, defined.** Department means the Department of Health and Human Services Regulation and Licensure.

Source: Laws 1981, LB 379, § 7; Laws 1996, LB 1044, § 574; Laws 2000, LB 1115, § 33. Effective date April 14, 2000.

**71-1711. Repealed.** Laws 1996, LB 414, §52.

**71-1712. Licensed practitioner, defined.** Licensed practitioner means any podiatrist, dentist, physician, or osteopathic physician licensed to prescribe, diagnose, and treat as provided in section 71-173, 71-183, 71-1,102, or 71-1,137.

Source: Laws 1981, LB 379, § 9; Laws 2000, LB 1115, § 34. Effective date April 14, 2000.

**71-1713. Repealed.** Laws 1993, LB 536, §128.

**71-1714. Preceptorship, defined. (*Effective until July 1, 2007*)** Preceptorship means the clinical practice component of an educational program for the preparation of advanced practice registered nurses.

**71-1714. Preceptorship, defined. (*Effective on July 1, 2007*)** Preceptorship means the clinical practice component of an educational program for the preparation of nurse practitioners.

Source: Laws 1981, LB 379, §11; Laws 1996, LB 414, §17; Laws 2000, LB 1115, §35; Laws 2005, LB 256, §51. Operative date July 1, 2007.

**71-1715. Repealed.** Laws 1996, LB 414, §52.

**71-1716. Collaboration, defined. (*Effective until July 1, 2007*)** Collaboration means a process and relationship in which an advanced practice registered nurse, together with other health professionals, delivers health care within the scope of authority of the various clinical specialty practices.

**71-1716. Collaboration, defined. (*Effective on July 1, 2007*)** Collaboration means a process and relationship in which a nurse practitioner, together with other health professionals, delivers health care within the scope of authority of the various clinical specialty practices.

Source: Laws 1981, LB 379, §13; Laws 1984, LB 724, §11; Laws 1996, LB 414, §18; Laws 2000, LB 1115, §36; Laws 2005, LB 256, §52. Operative date July 1, 2007.

**71-1716.01. Approved certifying body, defined.** Approved certifying body means a national certification organization which certifies qualified licensed nurses for advanced practice in a clinical specialty area and which (1) requires eligibility criteria related to education and practice, (2) offers an examination in an advanced nursing area which meets current psychometric guidelines and tests, and (3) is approved by the board.

Source: Laws 1984, LB 724, § 6; Laws 1996, LB 414, § 19; Laws 2000, LB 1115, § 37. Effective date April 14, 2000.

**71-1716.02. Approved certification program, defined. (*Effective until July 1, 2007*)** Approved certification program means a certification process for advanced practice registered nurses utilized by an approved certifying body that (1) requires evidence of completion of a formal program of study in an advanced practice registered nurse clinical specialty, (2) requires successful completion of a nationally recognized certification examination developed by the approved certifying body, (3) provides an ongoing recertification program, and (4) is approved by the board.

**71-1716.02. Approved certification program, defined. (*Effective on July 1, 2007*)** Approved certification program means a certification process for nurse practitioners utilized by an approved certifying body that (1) requires evidence of completion of a formal program of study in the nurse practitioner clinical specialty, (2) requires successful completion of a nationally recognized certification examination developed by the approved certifying body, (3) provides an ongoing recertification program, and (4) is approved by the board.

Source: Laws 1984, LB 724, §7; Laws 1996, LB 414, §20; Laws 2000, LB 1115, §38; Laws 2005, LB 256, §53. Operative date July 1, 2007.

**71-1716.03. Integrated practice agreement, defined. (*Effective until July 1, 2007*)** Integrated practice agreement means a written agreement between an advanced practice registered nurse and a collaborating physician in which the advanced practice registered nurse and the collaborating physician provide for the delivery of health care through an

integrated practice. The integrated practice agreement shall provide that the advanced practice registered nurse and the collaborating physician will practice collaboratively within the framework of their respective scopes of practice. Each provider shall be responsible for his or her individual decisions in managing the health care of patients. Integrated practice includes consultation, collaboration, and referral.

The advanced practice registered nurse and the collaborating physician shall have joint responsibility for patient care, based upon the scope of practice of each practitioner. The collaborating physician shall be responsible for supervision of the advanced practice registered nurse to ensure the quality of health care provided to patients.

For purposes of this section:

(1) Collaborating physician means a physician or osteopathic physician licensed in Nebraska and practicing in the same geographic area and practice specialty, related specialty, or field of practice as the advanced practice registered nurse; and

(2) Supervision means the ready availability of the collaborating physician for consultation and direction of the activities of the advanced practice registered nurse within the advanced practice registered nurse's defined scope of practice.

**71-1716.03. Integrated practice agreement, defined. (Effective on July 1, 2007)** Integrated practice agreement means a written agreement between a nurse practitioner and a collaborating physician in which the nurse practitioner and the collaborating physician provide for the delivery of health care through an integrated practice. The integrated practice agreement shall provide that the nurse practitioner and the collaborating physician will practice collaboratively within the framework of their respective scopes of practice. Each provider shall be responsible for his or her individual decisions in managing the health care of patients. Integrated practice includes consultation, collaboration, and referral.

The nurse practitioner and the collaborating physician shall have joint responsibility for patient care, based upon the scope of practice of each practitioner. The collaborating physician shall be responsible for supervision of the nurse practitioner to ensure the quality of health care provided to patients.

For purposes of this section:

(1) Collaborating physician means a physician or osteopathic physician licensed in Nebraska and practicing in the same geographic area and practice specialty, related specialty, or field of practice as the nurse practitioner; and

(2) Supervision means the ready availability of the collaborating physician for consultation and direction of the activities of the nurse practitioner within the nurse practitioner's defined scope of practice.

Source: Laws 1984, LB 724, §9; Laws 1996, LB 414, §21; Laws 2000, LB 1115, §39; Laws 2005, LB 256, §54. Operative date July 1, 2007.

**71-1716.04. Repealed.** Laws 1996, LB 414, §52.

**71-1716.05. Referral, defined. (Effective until July 1, 2007)** Referral means a process whereby the advanced practice registered nurse directs the patient to a physician or other health care practitioner for management of a particular problem or aspect of the patient's care.

**71-1716.05. Referral, defined. (Effective on July 1, 2007)** Referral means a process whereby a nurse practitioner directs the patient to a physician or other health care practitioner for management of a particular problem or aspect of the patient's care.

Source: Laws 1996, LB 414, §24; Laws 2000, LB 1115, §40; Laws 2005, LB 256, §55. Operative date July 1, 2007.

**71-1717. Approved advanced practice registered nurse program, defined. (Effective until July 1, 2007)** Approved advanced practice registered nurse program means a program which:

(1) Is a minimum of one full-time academic year or nine months in length and includes both a didactic component and a preceptorship of five hundred contact hours;

(2) Includes, but is not limited to, instruction in biological, behavioral, and health sciences relevant to practice as an advanced practice registered nurse in a specific clinical area; and

(3) Except for the specialties of women's health and neonatal, grants a post-master certificate, master's degree, or doctoral degree for all applicants who graduated on or after July 19, 1996, and granted a master's or doctoral degree, post-master certificate, or diploma for all applicants who graduated prior to July 19, 1996. A post-master certificate, a master's degree, or a doctoral degree is not required for programs in the specialty of women's health or neonatal.

**71-1717. Approved nurse practitioner program, defined. (Effective on July 1, 2007)** Approved nurse practitioner program means a program which:

(1) Is a minimum of one full-time academic year or nine months in length and includes both a didactic component and a preceptorship of five hundred contact hours;

(2) Includes, but is not limited to, instruction in biological, behavioral, and health sciences relevant to practice as a nurse practitioner in a specific clinical area; and

(3) For the specialties of women's health and neonatal, grants a post-master certificate, master's degree, or doctoral degree for all applicants who graduated on or after July 1, 2007, and for all other specialties, grants a post-master certificate, master's degree, or doctoral degree for all applicants who graduated on or after July 19, 1996.

Source: Laws 1981, LB 379, §14; Laws 1984, LB 724, §12; Laws 1993, LB 536, §67; Laws 1996, LB 414, §22; Laws 2000, LB 1115, §41; Laws 2005, LB 256, §56. Operative date July 1, 2007.

**71-1718. Repealed.** Laws 1993, LB 536, §128.

**71-1718.01. Board of Advanced Practice Registered Nurses; members; qualifications; terms; removal; per diem; expenses. (Effective until July 1, 2007)** (1) The Board of Advanced Practice Registered Nurses is established. The purpose of the board is to (a) provide for the health, safety, and welfare of the citizens, (b) ensure that licensees serving the public meet minimum standards of proficiency and competency, and (c) control the profession in the interest of consumer protection. The Board of Advanced Practice Registered Nurses is the direct and only successor to the Board of Advanced Registered Nurse Practitioners.

(2) The board shall consist of (a) five advanced practice registered nurses representing different advanced practice registered nurse specialties for which a license has been issued, (b) five physicians licensed under the Uniform Licensing Law to practice medicine in Nebraska, at least three of whom shall have a current collaborating relationship with an advanced practice registered nurse, (c) three consumer members, and (d) one licensed pharmacist.

(3) The members of the board shall be appointed by the State Board of Health. Members shall be appointed for terms of four years. At the expiration of the term of any member, the State Board of Health may consult with appropriate professional organizations regarding candidates for appointment to the Board of Advanced Practice Registered Nurses. Upon expiration of terms, appointments or reappointments shall be made on or before December 1 of each year. Vacancies on the Board of Advanced Practice Registered Nurses shall be filled for the unexpired term by appointments made by the State Board of Health. No member shall serve more than two consecutive terms on the Board of Advanced Practice Registered Nurses.

(4) The State Board of Health has power to remove from office any member of the Board of Advanced Practice Registered Nurses, after a public hearing pursuant to the Administrative Procedure Act, for physical or mental incapacity to carry out the duties of a board member, for continued neglect of duty, for incompetence, for acting beyond the individual member's scope of authority, for malfeasance in office, for any cause for which a license or certificate in the member's profession involved may be suspended or revoked, for a lack of licensure or certification in the member's profession, or for other sufficient cause.

(5) Each member of the Board of Advanced Practice Registered Nurses shall receive a per diem of thirty dollars per day for each day the member is actually engaged in the discharge of his or her official duties and shall be reimbursed for travel, lodging, and other necessary expenses incurred as a member of the board pursuant to sections 81-1174 to 81-1177.

(6) The department shall adopt and promulgate rules and regulations which define conflicts of interest for members of the Board of Advanced Practice Registered Nurses and which establish procedures in case such a conflict arises.

**71-1718.01. Transferred to section 71-17,134. (Effective on July 1, 2007)**

**71-1718.02. Board of Advanced Practice Registered Nurses; duties. (Effective until July 1, 2007)** The Board of Advanced Practice Registered Nurses shall:

(1) Establish standards for integrated practice agreements between advanced practice registered nurses and collaborating physicians;

(2) Monitor the scope of practice by advanced practice registered nurses and advise the Board of Nursing in matters pertaining to the scope of practice of advanced practice registered nurses; and

(3) Approve rules and regulations with the Board of Nursing to implement the Advanced Practice Registered Nurse Act for adoption and promulgation by the department. Such rules and regulations shall include: (a) Approved certification organizations and approved certification programs; (b) continuing competency requirements. The requirements may include, but not be limited to, continuing education, continuing practice, national recertification, a reentry program, peer review including patient outcomes, supervised practice, examination, or other continuing competency activities listed in section 71-161.09; (c) grounds for discipline; (d) licensure, license renewal, and license reinstatement requirements; (e) fees; (f) professional liability insurance; and (g) conflict of interest for board members.

**71-1718.02. Transferred to section 71-17,135. (Effective on July 1, 2007)**

**71-1719 to 71-1720. Repealed.** Laws 1993, LB 536, §128.

**71-1721. Advanced practice registered nurse; nurse practitioner; functions; scope.** (1) Until July 1, 2007, an advanced practice registered nurse may provide health care services within specialty areas. An advanced practice registered nurse shall function by establishing collaborative, consultative, and referral networks as appropriate with other health care professionals. Patients who require care beyond the scope of practice of an advanced practice registered nurse shall be referred to an appropriate health care provider. Advanced practice registered nurse practice means health promotion, health supervision, illness prevention and diagnosis, treatment, and management of common health problems and chronic conditions, including:

(a) Assessing patients, ordering diagnostic tests and therapeutic treatments, synthesizing and analyzing data, and applying advanced nursing principles;

(b) Dispensing, incident to practice only, sample medications which are provided by the manufacturer and are provided at no charge to the patient; and

(c) Prescribing therapeutic measures and medications relating to health conditions within the scope of practice. Any limitation on the prescribing authority of the advanced practice registered nurse for controlled substances listed in Schedule II of section 28-405 shall be recorded in the integrated practice agreement established pursuant to section 71-1716.03.

(2) On and after July 1, 2007, a nurse practitioner may provide health care services within specialty areas. A nurse practitioner shall function by establishing collaborative, consultative, and referral networks as appropriate with other health care professionals. Patients who require care beyond the scope of practice of a nurse practitioner shall be referred to an appropriate health care provider. Nurse practitioner practice means health promotion, health supervision, illness prevention and diagnosis, treatment, and management of common health problems and chronic conditions, including:

(a) Assessing patients, ordering diagnostic tests and therapeutic treatments, synthesizing and analyzing data, and applying advanced nursing principles;

(b) Dispensing, incident to practice only, sample medications which are provided by the manufacturer and are provided at no charge to the patient; and

(c) Prescribing therapeutic measures and medications relating to health conditions within the scope of practice. Any limitation on the prescribing authority of the nurse practitioner for controlled substances listed in Schedule II of section 28-405 shall be recorded in the integrated practice agreement established pursuant to section 71-1716.03.

(3) On and after July 1, 2007, a nurse practitioner who has proof of a current certification from an approved certification program in a psychiatric or mental health specialty may manage the care of patients committed under the Nebraska Mental Health Commitment Act. Patients who require care beyond the scope of practice of a nurse practitioner who has proof of a current certification from an approved certification program in a psychiatric or mental health specialty shall be referred to an appropriate health care provider.

Source: Laws 1981, LB 379, § 18; Laws 1984, LB 724, § 14; Laws 1996, LB 414, § 25; Laws 2000, LB 1115, § 44; Laws 2005, LB 256, § 57; Laws 2006, LB 994, § 96. Operative date July 14, 2006.

**71-1721.01 to 71-1721.06. Repealed.** Laws 1996, LB 414, §52.

**71-1721.07. Department; adopt rules and regulations.** *(Effective until July 1, 2007)* The department shall, after consultation with the boards, adopt and promulgate rules and regulations to carry out the Advanced Practice Registered Nurse Act.

**71-1721.07. Department; adopt rules and regulations.** *(Effective on July 1, 2007)* The department shall, after consultation with the board, adopt and promulgate rules and regulations to carry out the Nurse Practitioner Act.

Source: Laws 1984, LB 724, §28; Laws 1996, LB 414, §29; Laws 2000, LB 1115, §45; Laws 2005, LB 256, §58. Operative date July 1, 2007.

**71-1722. Advanced practice registered nurse; license; application; requirements.** *(Effective until July 1, 2007)* Requirements for licensure as an advanced practice registered nurse shall be the following:

(1) A license as a registered nurse in the State of Nebraska;

(2) A completed application which includes the applicant's social security number;

(3) A licensure fee established and collected as provided in section 71-162;

(4) Evidence of having successfully completed an approved advanced practice registered nurse program;

(5) Evidence of having successfully completed thirty contact hours of education in pharmacotherapeutics;

(6) Submission of proof of having passed an examination pertaining to the specific advanced practice registered nurse role in nursing adopted or approved by the boards with the approval of the department. Such examination may include any recognized national credentialing examination for advanced practice registered nurses conducted by an approved certifying body which administers an approved certification program; and

(7) If more than five years have elapsed since the completion of the advanced practice registered nurse program or since the applicant has practiced in the specific advanced practice registered nurse role, the applicant shall meet the requirements in subdivisions (1) through (6) of this section and provide evidence of continuing competency as required by the boards pursuant to section 71-1718.02.

**71-1722. Nurse practitioner; certification; requirements. (Effective on July 1, 2007)** Requirements for certification as a nurse practitioner shall be the following:

(1) A license as a registered nurse in the State of Nebraska or the authority based upon the Nurse Licensure Compact to practice as a registered nurse in Nebraska;

(2) A completed application which includes the applicant's social security number;

(3) A certification fee established and collected as provided in section 71-162;

(4) Evidence of having successfully completed a graduate-level program in the clinical specialty area of nurse practitioner practice, which program is accredited by a national accrediting body;

(5) Evidence of having successfully completed thirty contact hours of education in pharmacotherapeutics;

(6) Submission of proof of having passed an examination pertaining to the specific nurse practitioner role in nursing adopted or approved by the board with the approval of the department. Such examination may include any recognized national credentialing examination for nurse practitioners conducted by an approved certifying body which administers an approved certification program; and

(7) If more than five years have elapsed since the completion of the nurse practitioner program or since the applicant has practiced in the specific nurse practitioner role, the applicant shall meet the requirements in subdivisions (1) through (6) of this section and provide evidence of continuing competency as required by the board pursuant to section 71-17,135.

Source: Laws 1981, LB 379, §19; Laws 1984, LB 724, §20; Laws 1986, LB 926, §55; Laws 1993, LB 536, §70; Laws 1996, LB 414, §30; Laws 1997, LB 752, §173; Laws 2000, LB 1115, §46; Laws 2002, LB 1021, §57; Laws 2003, LB 242, §101; Laws 2005, LB 256, §59. Operative date July 1, 2007.

**71-1723. Advanced practice registered nurse; license. (Effective until July 1, 2007)** Anyone fulfilling the requirements listed in section 71-1722 shall be issued a license as an advanced practice registered nurse by the department.

**71-1723. Nurse practitioner; certificate. (Effective on July 1, 2007)** Anyone fulfilling the requirements listed in section 71-1722 shall be issued a certificate as a nurse practitioner by the department.

Source: Laws 1981, LB 379, §20; Laws 1989, LB 344, §16; Laws 1996, LB 414, §31; Laws 2000, LB 1115, §47; Laws 2003, LB 242, §102; Laws 2005, LB 256, §60. Operative date July 1, 2007.

**71-1723.01. Advanced practice registered nurse; right to use title or abbreviation. (Effective until July 1, 2007)** A person licensed as an advanced registered nurse practitioner in this state on April 14, 2000, shall be deemed to be licensed as an advanced practice registered nurse. A person licensed to practice as an advanced practice registered nurse in this state may use the title advanced practice registered nurse and the abbreviation APRN.

**71-1723.01. Nurse practitioner; right to use title or abbreviation. (Effective on July 1, 2007)** A person licensed as an advanced practice registered nurse in this state on July 1, 2007, shall be issued a license by the department as an advanced practice registered nurse under the Advanced Practice Registered Nurse Licensure Act and shall be issued a certificate by the department as a nurse practitioner under the Nurse Practitioner Act on such date. A person certified as a nurse practitioner in this state may use the title nurse practitioner and the abbreviation NP.

Source: Laws 1984, LB 724, §27; Laws 1996, LB 414, §32; Laws 2000, LB 1115, §48; Laws 2005, LB 256, §61. Operative date July 1, 2007.

**71-1723.02. Advanced practice registered nurse; commencement of practice; requirements; waiver. (Effective until July 1, 2007)** (1) An advanced practice registered nurse (a) who has a master's degree or doctorate degree in nursing and has completed an approved advanced practice registered nurse program, (b) who can demonstrate separate course work in pharmacotherapeutics, advanced health assessment, and pathophysiology or psychopathology, and (c) who has completed a minimum of two thousand hours of practice under the supervision of a physician shall (i) submit to the department an integrated practice agreement with a collaborating physician and (ii) furnish proof of professional liability insurance required under section 71-1723.04 prior to commencing practice.

(2) An advanced practice registered nurse who intends to practice the clinical specialty of neonatal or women's health and who does not meet the education and training requirements of subsection (1) of this section or an advanced practice



registered nurse who needs to obtain the two thousand hours of supervised practice required under subdivision (1)(c) of this section shall (a) submit to the department one or more integrated practice agreements with a collaborating physician, (b) furnish proof of jointly approved protocols with a collaborating physician which shall guide the advanced practice registered nurse's practice, and (c) furnish proof of professional liability insurance required under section 71-1723.04.

(3) If, after a diligent effort to obtain an integrated practice agreement, an advanced practice registered nurse is unable to obtain an integrated practice agreement with one physician, the Board of Advanced Practice Registered Nurses may waive the requirement of an integrated practice agreement upon a showing that the applicant (a) meets the requirements of subsection (1) of this section, (b) has made a diligent effort to obtain an integrated practice agreement, and (c) will practice in a geographic area where there is a shortage of health care services.

**71-1723.02. Nurse practitioner; commencement of practice; requirements; waiver. (Effective on July 1, 2007)** (1) A nurse practitioner (a) who has a master's degree or doctorate degree in nursing and has completed an approved nurse practitioner program, (b) who can demonstrate separate course work in pharmacotherapeutics, advanced health assessment, and pathophysiology or psychopathology, and (c) who has completed a minimum of two thousand hours of practice under the supervision of a physician shall (i) submit to the department an integrated practice agreement with a collaborating physician and (ii) furnish proof of professional liability insurance required under section 71-1723.04 prior to commencing practice.

(2) A nurse practitioner who needs to obtain the two thousand hours of supervised practice required under subdivision (1)(c) of this section shall (a) submit to the department one or more integrated practice agreements with a collaborating physician, (b) furnish proof of jointly approved protocols with a collaborating physician which shall guide the nurse practitioner's practice, and (c) furnish proof of professional liability insurance required under section 71-1723.04.

(3) If, after a diligent effort to obtain an integrated practice agreement, a nurse practitioner is unable to obtain an integrated practice agreement with one physician, the board may waive the requirement of an integrated practice agreement upon a showing that the applicant (a) meets the requirements of subsection (1) of this section, (b) has made a diligent effort to obtain an integrated practice agreement, and (c) will practice in a geographic area where there is a shortage of health care services.

Source: Laws 1996, LB 414, §33; Laws 2000, LB 1115, §49; Laws 2002, LB 1062, §46; Laws 2005, LB 256, §62. Operative date July 1, 2007.

**71-1723.03. Advanced practice registered nurse; actions not prohibited. (Effective until July 1, 2007)** Nothing in the Advanced Practice Registered Nurse Act shall prohibit an advanced practice registered nurse from consulting or collaborating with and referring patients to health care providers not included in the advanced practice registered nurse's integrated practice agreement.

**71-1723.03. Nurse practitioner; actions not prohibited. (Effective on July 1, 2007)** Nothing in the Nurse Practitioner Act shall prohibit a nurse practitioner from consulting or collaborating with and referring patients to health care providers not included in the nurse practitioner's integrated practice agreement.

Source: Laws 1996, LB 414, §34; Laws 2000, LB 1115, §50; Laws 2005, LB 256, §63. Operative date July 1, 2007.

**71-1723.04. Advanced practice registered nurse; liability insurance; when required. (Effective until July 1, 2007)** (1) Advanced practice registered nurses shall maintain in effect professional liability insurance with such coverage and limits as may be established by the board.

(2) If an advanced practice registered nurse renders services in a hospital or other health care facility, he or she shall be subject to the rules and regulations of that facility. Such rules and regulations may include, but need not be limited to, reasonable requirements that the advanced practice registered nurse and all collaborating licensed practitioners maintain professional liability insurance with such coverage and limits as may be established by the hospital or other health care facility upon the recommendation of the medical staff.

**71-1723.04. Nurse practitioner; liability insurance; when required. (Effective on July 1, 2007)** (1) Nurse practitioners shall maintain in effect professional liability insurance with such coverage and limits as may be established by the board.

(2) If a nurse practitioner renders services in a hospital or other health care facility, he or she shall be subject to the rules and regulations of that facility. Such rules and regulations may include, but need not be limited to, reasonable requirements that the nurse practitioner and all collaborating licensed practitioners maintain professional liability insurance with such coverage and limits as may be established by the hospital or other health care facility upon the recommendation of the medical staff.

Source: Laws 1996, LB 414, §35; Laws 2000, LB 1115, §51; Laws 2005, LB 256, §64. Operative date July 1, 2007.

**71-1724. Advanced practice registered nurse; license; renewal; requirements. (Effective until July 1, 2007)** Renewal of a license as an advanced practice registered nurse shall be at the same time and in the same manner as renewal of a license as a registered nurse and shall require:

- (1) A license as a registered nurse in the State of Nebraska;
- (2) Documentation of continuing competency upon completion of continuing competency activities established by the boards pursuant to section 71-1718.02;
- (3) Documentation of a minimum of two thousand eighty hours of practice as an advanced practice registered nurse within the five years immediately preceding renewal. These practice hours shall fulfill the requirements of the practice hours required for registered nurse renewal;
- (4) Proof of current certification in the specific advanced practice clinical specialty area by an approved certification program; and
- (5) Payment of a biennial license renewal fee established and collected as provided in section 71-162.

**71-1724. Nurse practitioner; certificate; renewal; requirements. (Effective on July 1, 2007)** Renewal of a certificate as a nurse practitioner shall be at the same time and in the same manner as renewal of a license as a registered nurse and shall require:

- (1) A license as a registered nurse in the State of Nebraska or the authority based on the Nurse Licensure Compact to practice as a registered nurse in Nebraska;
- (2) Documentation of continuing competency upon completion of continuing competency activities established by the board pursuant to section 71-17,135;
- (3) Documentation of a minimum of two thousand eighty hours of practice as a nurse practitioner within the five years immediately preceding renewal. These practice hours shall fulfill the requirements of the practice hours required for registered nurse renewal. Practice hours as an advanced practice registered nurse prior to July 1, 2007, shall be used to fulfill the requirements of this section;
- (4) Proof of current certification in the specific nurse practitioner clinical specialty area by an approved certification program; and
- (5) Payment of a biennial renewal fee established and collected as provided in section 71-162.

Source: Laws 1981, LB 379, §21; Laws 1983, LB 472, §6; Laws 1984, LB 724, §21; Laws 1986, LB 926, §56; Laws 1988, LB 1100, §105; Laws 1993, LB 536, §71; Laws 1996, LB 414, §36; Laws 2000, LB 1115, §52; Laws 2002, LB 1021, §58; Laws 2003, LB 242, §103; Laws 2005, LB 256, §65. Operative date July 1, 2007.

**71-1724.01. Advanced practice registered nurse; temporary permit; requirements. (Effective until July 1, 2007)** The department may grant a temporary permit as an advanced practice registered nurse upon application:

- (1) To graduates of an approved advanced practice registered nurse program pending results of the first credentialing examination following graduation;
- (2) For one hundred twenty days to advanced practice registered nurses lawfully authorized to practice in another state pending completion of the application for a Nebraska license; and
- (3) To applicants for purposes of a reentry program or supervised practice as part of continuing competency activities established by the boards pursuant to section 71-1718.02.

**71-1724.01. Nurse practitioner; temporary permit; requirements. (Effective on July 1, 2007)** The department may grant a temporary permit as a nurse practitioner upon application:

- (1) To graduates of an approved nurse practitioner program pending results of the first credentialing examination following graduation;
- (2) For one hundred twenty days to a nurse practitioner lawfully authorized to practice in another state pending completion of the application for a Nebraska certificate; and
- (3) To applicants for purposes of a reentry program or supervised practice as part of continuing competency activities established by the board pursuant to section 71-17,135.

Source: Laws 1984, LB 724, §22; Laws 1993, LB 536, §72; Laws 1996, LB 414, §37; Laws 2000, LB 1115, §53; Laws 2002, LB 1021, §59; Laws 2005, LB 256, §66. Operative date July 1, 2007.

**71-1724.02. Advanced practice registered nurse; continuing competency requirements. (Effective until July 1, 2007)** Continuing competency requirements established by the boards pursuant to section 71-1718.02 shall apply to:

- (1) A licensee seeking to renew an advanced practice registered nurse license;
- (2) A licensee seeking to reinstate from lapsed status an advanced practice registered nurse license;
- (3) An applicant for licensure as an advanced practice registered nurse who has been authorized by another state to practice in an advanced role; and
- (4) An applicant for licensure as an advanced practice registered nurse who has not practiced in that role during the five years immediately preceding application.

**71-1724.02. Nurse practitioner; continuing competency requirements. (Effective on July 1, 2007)**

Continuing competency requirements established by the board pursuant to section 71-17,135 shall apply to:

- (1) A nurse practitioner seeking to renew his or her certificate;
- (2) A nurse practitioner seeking to reinstate his or her certificate from lapsed status;
- (3) An applicant for certification as a nurse practitioner who has been authorized by another state to practice in an advanced role; and
- (4) An applicant for certification as a nurse practitioner who has not practiced in that role during the five years immediately preceding application.

Source: Laws 1996, LB 414, §26; Laws 2000, LB 1115, §54; Laws 2002, LB 1021, §60; Laws 2005, LB 256, §67. Operative date July 1, 2007.

**71-1725. License; denial, revocation, or suspension; procedure; appeal. (Effective until July 1, 2007)** A

license to practice as an advanced practice registered nurse may be denied, refused renewal, revoked, suspended, or disciplined in any other manner for any violation of the Advanced Practice Registered Nurse Act, for physical or mental disability or incapacity, for gross incompetence, or for any reason for which a license to practice as a registered nurse could be denied, revoked, or suspended. The methods and procedures for notice of hearing, opportunity for hearing, presentation of evidence, conduct of hearing, reinstatement of license, and related matters in such instance shall be the same as those pertaining to the denial, revocation, or suspension of a license to practice as a registered nurse. Any decision to deny, refuse renewal of, revoke, or suspend a license to practice as an advanced practice registered nurse may be appealed. The appeal shall be in accordance with the Administrative Procedure Act.

**71-1725. Certificate; denial, revocation, or suspension; procedure; appeal. (Effective on July 1, 2007)** A

license to practice as an advanced practice registered nurse certificate to practice as a nurse practitioner may be denied, refused renewal, revoked, suspended, or disciplined in any other manner for any violation of the Advanced Practice Registered Nurse Licensure Act or the Nurse Practitioner Act, for physical or mental disability or incapacity, for gross incompetence, or for any reason for which a license to practice as a registered nurse or an advanced practice registered nurse could be denied, revoked, or suspended. The methods and procedures for notice of hearing, opportunity for hearing, presentation of evidence, conduct of hearing, reinstatement of certificate, and related matters in such instance shall be the same as those pertaining to the denial, revocation, or suspension of a license to practice as a registered nurse. Any decision to deny, refuse renewal of, revoke, or suspend a certificate to practice as a nurse practitioner may be appealed. The appeal shall be in accordance with the Administrative Procedure Act.

Source: Laws 1981, LB 379, §22; Laws 1988, LB 352, §122; Laws 1996, LB 414, §38; Laws 2000, LB 1115, §55; Laws 2005, LB 256, §68. Operative date July 1, 2007.

**71-1725.01. Advanced practice registered nurse; lapse of license; when; effect. (Effective until July 1, 2007)**

(1) An advanced practice registered nurse's license lapses if he or she (a) does not have a current license to practice as a registered nurse or has had his or her license to practice as a registered nurse denied, refused renewal, suspended, or revoked or (b) renews his or her license to practice as a registered nurse but does not renew his or her license to practice as an advanced practice registered nurse.

(2) When a license to practice as an advanced practice registered nurse lapses, the right of the person whose license has lapsed to represent himself or herself as a licensee and to practice the activities for which a license is required terminates. To restore the license to active status, the person shall meet the requirements for renewal which are in effect at the time that he or she wishes to restore the license and shall pay the renewal fee and the late fee established and collected as provided in section 71-162.

**71-1725.01. Nurse practitioner; lapse of certificate; when; effect. (Effective on July 1, 2007)** (1) A nurse practitioner's certificate lapses if he or she (a) does not have a current license to practice as a registered nurse or an advanced practice registered nurse or has had his or her license to practice as a registered nurse or an advanced practice registered nurse

denied, refused renewal, suspended, or revoked or (b) renews his or her license to practice as a registered nurse or an advanced practice registered nurse but does not renew his or her nurse practitioner's certificate.

(2) When a nurse practitioner's certificate lapses, the right of the person whose certificate has lapsed to represent himself or herself as a nurse practitioner and to practice the activities for which a certificate is required terminates. To restore the certificate to active status, the person shall meet the requirements for renewal which are in effect at the time that he or she wishes to restore the certificate and shall pay the renewal fee and the late fee established and collected as provided in section 71-162.

Source: Laws 1996, LB 414, §42; Laws 2000, LB 1115, §56; Laws 2003, LB 242, §104; Laws 2005, LB 256, §69. Operative date July 1, 2007.

**71-1726. Person practicing as advanced practice registered nurse without license; penalties. (*Effective until July 1, 2007*)** Any person practicing as an advanced practice registered nurse who is not currently licensed as such by the department and who possesses a current license to engage in any health profession for which a license is issued by the department may have such license denied, refused renewal, suspended, or revoked or have other disciplinary action taken against him or her by the department pursuant to the provisions of Chapter 71, article 1, relating to such profession, irrespective of any criminal proceedings for practicing without a license.

**71-1726. Practice without certificate; effect on other license. (*Effective on July 1, 2007*)** Any person practicing as a nurse practitioner who is not certified as such by the department and who possesses a license to engage in any health profession for which a license is issued by the department may have such license denied, refused renewal, suspended, or revoked or have other disciplinary action taken against such license by the department pursuant to the provisions of the Nurse Practice Act or the Uniform Licensing Law relating to such profession, irrespective of any criminal proceedings for practicing without a certificate.

Source: Laws 1981, LB 379, §23; Laws 1984, LB 724, §23; Laws 1996, LB 414, §39; Laws 2000, LB 1115, §57; Laws 2005, LB 256, §70. Operative date July 1, 2007.

**71-1726.01. Unlicensed person; acts permitted. (*Effective until July 1, 2007*)** The Advanced Practice Registered Nurse Act does not prohibit the performance of activities of an advanced practice registered nurse by an unlicensed person if performed:

- (1) In an emergency situation;
- (2) By a legally qualified person from another state employed by the United States Government and performing official duties in this state;
- (3) By a person enrolled in an approved advanced practice registered nurse program for the preparation of advanced practice registered nurses as part of that approved program; and
- (4) By a person holding a temporary permit pursuant to section 71-1724.01.

**71-1726.01. Unlicensed person; acts permitted. (*Effective on July 1, 2007*)** The Nurse Practitioner Act does not prohibit the performance of activities of a nurse practitioner by an unlicensed person if performed:

- (1) In an emergency situation;
- (2) By a legally qualified person from another state employed by the United States Government and performing official duties in this state;
- (3) By a person enrolled in an approved nurse practitioner program for the preparation of nurse practitioners as part of that approved program; and
- (4) By a person holding a temporary permit pursuant to section 71-1724.01.

Source: Laws 1984, LB 724, §25; Laws 1996, LB 414, §40; Laws 2000, LB 1115, §58; Laws 2005, LB 256, §71. Operative date July 1, 2007.

**71-1726.02. Prohibited acts; penalty. (*Effective until July 1, 2007*)** Any person, corporation, association, or other entity engaging in any of the following activities is guilty of a Class IV felony:

- (1) Practicing as an advanced practice registered nurse without being issued a license as such by the department;
- (2) Employing or offering to employ any person as an advanced practice registered nurse, knowing that such person is not licensed as such by the department;
- (3) Fraudulently seeking, obtaining, or furnishing a license as an advanced practice registered nurse or aiding and abetting such activities; or

(4) Using in connection with his or her name the title advanced practice registered nurse, the abbreviation APRN, or any other designation tending to imply that he or she is an advanced practice registered nurse licensed by the department when such person is not an advanced practice registered nurse.

**71-1726.02. Prohibited acts; penalty. (*Effective on July 1, 2007*)** Any person, corporation, association, or other entity engaging in any of the following activities is guilty of a Class IV felony:

- (1) Practicing as a nurse practitioner without being issued a certificate as such by the department;
- (2) Employing or offering to employ any person as a nurse practitioner, knowing that such person is not certified as such by the department;
- (3) Fraudulently seeking, obtaining, or furnishing a certificate as a nurse practitioner or aiding and abetting such activities; or
- (4) Using in connection with his or her name the title nurse practitioner, the abbreviation NP, or any other designation tending to imply that he or she is a nurse practitioner certified by the department when such person is not certified as a nurse practitioner.

Source: Laws 1984, LB 724, §24; Laws 1996, LB 414, §41; Laws 2000, LB 1115, §59; Laws 2005, LB 256, §72.  
Operative date July 1, 2007.